



LEGISLATIVE POSITION:

Unfavorable

House Bill 17

Employment Standards - Retail Establishments - Seating for Employees

House Economic Matters Committee

Tuesday, February 7, 2023

Dear Chairman Wilson and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce (the Chamber) is the leading voice for business in Maryland. We are a statewide coalition of more than 6,400 members and federated partners working to develop and promote strong public policy that ensures sustained economic health and growth for Maryland businesses, employees, and families.

HB 17 establishes additional requirements for specified retail employers to provide seating for employees under certain circumstances and establishes enforcement mechanisms that include financial penalties and a private right of action.

The Chamber believes the additional seating requirements outlined in HB 17 are unnecessary, as individuals who would require seating due to a disability or other impairment would already be reasonably accommodated under the Americans with Disabilities Act. Additionally, it would stand to reason that the physical requirements of any job would be highlighted in a job description or made clear during an interview process, both of which are commonly accepted practices across many industries.

Further, there is concern over the enforcement mechanisms that would be established by HB 17. The private right of action further opens Maryland's small businesses to additional liability that would add yet another degree of uncertainty in these already turbulent times. Finally, involving the Attorney General's office in enforcement seems to stretch thin the already beleaguered staffing and funding situation that is often mentioned by members of the Attorney General's office.

The Maryland Chamber of Commerce respectfully requests an **unfavorable report** on **HB 17**.

